

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY  
(609) 989-2040

CHAMBERS OF  
TONIANNE J. BONGIOVANNI  
UNITED STATES MAGISTRATE JUDGE

U.S. COURTHOUSE  
402 E. STATE STREET, RM 6052  
TRENTON, NJ 08608

September 28, 2012

**LETTER ORDER**

**Re: Takeda Pharmaceutical Company Limited, et al. v. Mylan Inc., et al.**  
**Civil Action No. 11-2506 (JAP)**

Dear Counsel:

The Court has received Mylan Pharmaceuticals Inc.'s ("Mylan") letter dated September 27, 2012 requesting guidance as to the appropriate time to raise with the Court the setting of a trial date. As the parties are aware, three days ago, the Court entered a Letter Order setting forth the remaining schedule in this matter. While firm dates were set for all other events, including the Final Pre-Trial Conference which is scheduled to take place on May 1, 2013 at 11:00 A.M., the specific trial date was left to be set by the District Court. The Court appreciates that the 30-month stay is set to expire on September 23, 2013. This Court and the District Court are well aware of that deadline and the ramifications of this matter not being tried in advance of same.

As noted above, the Final Pre-Trial Conference is currently scheduled to take place on May 1, 2013 and the parties should be prepared to conduct the trial of this matter immediately thereafter. While the Court knows that the parties will endeavor to keep to the current schedule set by the Court, the Court is aware that minor adjustments may have to be made. Consequently, the Court finds that it would be premature at this juncture, seven months prior to the scheduled Final Pre-Trial Conference, to request a firm trial date from

the District Court. As the parties should be aware from their involvement in prior cases, this Court shall keep the District Court apprised of the progress of this matter. The Court expects that in early 2013, provided the parties adhere to the current schedule, the District Court will set a trial date.

**IT IS SO ORDERED.**

s/ Tonianne J. Bongiovanni  
**TONIANNE J. BONGIOVANNI**  
**United States Magistrate Judge**